

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CRYSTAL GAIL MANGUM,)	
)	
Petitioner,)	
)	
v.)	1:16CV978
)	
ERIK A. HOOKS, ¹)	
)	
Respondent.)	

ORDER

On August 29, 2017, the United States Magistrate Judge's Recommendation was filed and notice was served on Petitioner pursuant to 28 U.S.C. § 636. Petitioner filed objections [ECF No. 29] to the Recommendation within the time limit prescribed by Section 636. The Court has reviewed Petitioner's objections *de novo* and finds they do not change the substance of the United States Magistrate Judge's Recommendation (ECF No. 25), which is affirmed and adopted.

IT IS THEREFORE ORDERED that Respondent's Motion for Summary Judgment (ECF No. 10) is GRANTED, the Petition (ECF No. 3) is DENIED, and this action is

¹ The revised Petition (ECF No. 3) names Frank Perry, Secretary of the North Carolina Department of Public Safety, as Respondent. Rule 2 of the Rules Governing Section 2254 Cases requires that the petition name the state officer having custody of the applicant as respondent. The Court takes judicial notice that Erik A. Hooks has now been appointed Secretary of the Department of Public Safety and is presently the proper respondent for North Carolina state prisoners challenging their North Carolina judgment of conviction.

DISMISSED, and that, finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is DENIED.

This, the 25th day of September, 2017.

/s/ Loretta C. Biggs
United States District Judge